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IN THE UNITED STATES FEDERAL COURT,
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, : **DEFENDANT'S POSITION WITH
RESPECT TO SENTENCING ::
FACTORS**

Plaintiff, : Case No. 2:16-cr-00204-TS

v. :

SANTIAGO TARULA-RIVERA, :

Defendant. : JUDGE TED STEWART

Defendant Santiago Tarula-Rivera by and through counsel hereby offers the following positions with respect to factors to be considered in sentencing.

1. Defendant has no factual disputes with the presentence report.
2. Defendant has no dispute with the application of sentencing factors noted in the presentence report, but if the government recommends "safety valve" credit, the guideline calculations should be adjusted accordingly.
3. Defendant requests that he be ordered to undergo substance abuse treatment while serving his sentence, to assist him in overcoming addiction. Defendant does not seek

to excuse his conduct based on his addiction, but it does provide a clear manner through which future criminal conduct can be prevented.

4. Defendant requests, both of the Court and of the Department of Corrections, that he be allowed to serve his sentence in Southern California to be closer to family.

DATED this 3rd day of October, 2016.

/s/ *Benjamin Gordon*
BENJAMIN GORDON
Attorney for Defendant